

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

LILLIAN HAYDEN, et al.,

Plaintiffs.

$$V_{\bullet}$$

ATOCHEM NORTH AMERICA, INC.,  
ELF AQUITAINE, INC., ELF  
ATOCHEM NORTH AMERICA, INC.,  
and PENNWALT CORPORATION,  
name changed to ELF ATOCHEM  
NORTH AMERICA, INC.,

Defendants.

C.A. NO. H-92-1054

## SETTLEMENT ADMINISTRATOR'S MOTION FOR EXTENSION DEADLINE

Timothy J. Crowley, Settlement Administrator, respectfully submits this Motion for Extension of Deadline.

1. The Court’s December 19, 2008 “Stipulated Order on Administration” provides that “[b]y March 1, 2009, the settlement administrator and parties are directed to submit proposals and evidence for them about the distribution of the remaining settlement funds.”

2. In November of 2008, First National Bank of Bryan—where the settlement funds are deposited—was closed by the Texas Department of Savings and Mortgage Lending, and the Federal Deposit Insurance Corporation (FDIC) was named receiver. A copy of the FDIC press release regarding the event is attached as Exhibit A and additional information can be found on the FDIC’s website: <http://www.fdic.gov/bank/individual/failed/franklinbank.html>.

3. The closing, receivership, and transition of ownership of the bank to Prosperity Bank have considerably slowed and complicated the settlement administrator's efforts and, as a result, additional time is needed to comply with the Stipulated Order on Administration.

4. Furthermore, the settlement administrator is still receiving feedback regarding possible charitable donations from the settlement fund and believes that allowing additional time for this process would be in the best interest of all concerned.

### **CONCLUSION & PRAYER**

Settlement Administrator Timothy J. Crowley respectfully requests this Court to order that the March 1, 2009 deadline be extended at least ninety (90) days, and thus the settlement administrator and parties be directed to submit proposals and evidence for them about the distribution of the remaining settlement funds by the new deadline.

Respectfully submitted,

*s/ Timothy J. Crowley*

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CERTIFICATE OF SERVICE

I, do hereby certify that on this the 19th day of February, 2009, true and correct copies of the above and foregoing instruments have been duly forwarded to the following parties and/or counsel of record in accordance with the Federal Rules of Civil Procedure.

*s/ Timothy J. Crowley*

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